

PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS

Summary of Legislation Pertaining to the Consolidation of Pupil Suspensions from School, Pupil Exclusions from School, and Pupil Expulsion Appeals

Pupil Suspensions from School

Education Code § 48911, subdivisions (b) and (e)

Chapter 965, Statutes of 1977, Chapter 668, Statutes of 1978,
Chapter 73, Statutes of 1980, Chapter 498, Statutes of 1983,
Chapter 856, Statutes of 1985, and Chapter 134, Statutes of 1987

Pupil Expulsions from School

Education Code § § 48915, subdivisions (a) and (b), 48915.1, 48915.2, 48916, and 48918

Chapter 1253, Statutes of 1975, Chapter 965, Statutes of 1977,
Chapter 668, Statutes of 1978, Chapter 318, Statutes of 1982, Chapter 498, Statutes of 1983,
Chapter 622, Statutes of 1984, Chapter 942, Statutes of 1987, Chapter 1231, Statutes of 1990,
Chapter 152, Statutes of 1992, Chapter 1255, Statutes of 1993,
Chapter 1256, Statutes of 1993, Chapter 1257, Statutes of 1993, and
Chapter 146, Statutes of 1994

Pupil Expulsion Appeals

Education Code § § 48919, 48921-48924

Chapter 1253, Statutes of 1975, Chapter 965, Statutes of 1977,
Chapter 668, Statutes of 1978, and Chapter 498, Statutes of 1983

1. Summary of the Source of the Mandates

A. Pupil Suspensions from School

Education Code section 48903, subdivision (b), as added by Chapter 965, Statutes of 1977, and amended by Chapter 668, Statutes of 1978, and Chapter 73, Statutes of 1980, imposed a new requirement for the teacher or supervisor who referred the pupil to the principal for suspension from school to participate in the pre-suspension conference between the pupil and the principal (or the principal's designee as defined in Chapter 856, Statutes of 1985) whenever practical. "School employee" was added to the list of potential participants in the pre-suspension conference. Education Code section 48903 was repealed by Chapter 498, Statutes of 1983, and substantially the same requirements were moved to new Education Code section 48911, subdivision (b). The 1983 amendment authorized the school superintendent to suspend pupils from school and to conduct the informal conference.

Education Code section 48911, subdivision (e), as added and amended by Chapter 134, Statutes of 1987, requires a school district employee to report the cause of a pupil's suspension to the school district governing board or superintendent.

Education Code section 48915 subdivision (b), as amended by Chapter 1255, Statutes of 1993, requires that the principal or superintendent of a school district immediately suspend any pupil found to be in possession of a firearm, knife of no reasonable use to the pupil, or explosive at school or at a school activity off school grounds.

Education Code section 48918, subdivision (b), as amended by Chapter 1256, Statutes of 1993, limits the requirement for immediate suspension to "any pupil found to be in possession of a firearm at school or at a school activity off school grounds."

B. Pupil Expulsions

Education Code section 48915, subdivisions (a) and (b), as added by Chapter 498, Statutes of 1983, and amended by Chapters 1255 and 1256, Statutes of 1993, requires school district principals and superintendents to recommend expulsion of pupils to their governing boards if the pupil committed one of the following offenses:

- (1) Causing serious physical injury to another person, except in self defense;
- (2) Possession of any firearm, knife, explosive, or other dangerous device of no reasonable use to the pupil at school or at a school activity off school grounds;
- (3) Unlawful sale of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis;
- (4) Robbery or extortion.

Education Code section 48915 as amended by Chapter 1255, Statutes of 1993, requires governing boards to either expel or recommend admission to an alternative education program if a pupil was found to be in possession of a firearm, knife of no reasonable use to the pupil, or explosive at school or at a school activity off school grounds. This provision was in effect from October 11, 1993 through December 31, 1993.

Education Code section 48915, subdivision (b), as amended by Chapter 1256, Statutes of 1993, limits expulsion or recommendation of an alternative education program to any pupil in possession of a firearm at school or at a school activity off school grounds. This provision became effective January 1, 1994.

Education Code section 48918, as added or amended by Chapter 1253, Statutes of 1975, Chapter 965, Statutes of 1977, Chapter 668, Statutes of 1978, Chapter 318, Statutes of 1982, Chapter 498, Statutes of 1983, Chapter 1231, Statutes of 1990, and Chapter 146, Statutes of 1994, requires school district governing boards to adopt rules and regulations for the expulsion of pupils, which must include the specific procedures set forth in section 48918.

Education Code section 48918, subdivision (b), as added or amended by Chapter 1253, Statutes of 1975, Chapter 965, Statutes of 1977, and Chapter 1231, Statutes of 1990, requires school districts to include in the written expulsion hearing notice to the pupil and the pupil's parent or guardian:

- (1) A copy of the disciplinary rules of the district that relate to the alleged violation;
- (2) Notice of the parent's, guardian's, or pupil's obligation pursuant to Education Code section 48915.1, subdivision (b), upon the pupil's enrollment in a new school district, to inform that district of the expulsion; and
- (3) Notice of the right of the pupil or pupil's parent or guardian to inspect and copies of all documents to be used at the expulsion hearing.

Education Code section 48918, subdivision (i), as added or amended by Chapter 1253, Statutes of 1975, and Chapter 1231, Statutes of 1990, requires school districts to send to the pupil or the pupil's parent or guardian:

- (1) Written notice of any decision to expel or suspend enforcement of an expulsion order during a period of probation;
- (2) Notice of the right to appeal the expulsion to the county board of education; and
- (3) Notice of the parent's, guardian's, or pupil's obligation pursuant to Education Code section 48915.1, subdivision (b), upon the pupil's enrollment in a new school district of the expulsion.

Education Code section 48914, subdivision (g), as amended by Chapter 965, Statutes of 1977, requires the governing board to maintain a record of each expulsion, including the cause thereof.

This provision was moved to new Education Code section 48915, subdivision (j), by Chapter 498, Statutes of 1983, which requires that the expulsion order and the causes thereof be recorded in the pupil's mandatory interim record and that this record be forwarded, upon request, to any school in which the pupil subsequently enrolls.

Education Code section 48916, as added by Chapter 498, Statutes of 1983, imposed a new requirement for school district governing boards to set a date, not later than the last day of the semester following the semester in which the expulsion occurred, when an expelled pupil may apply for re-admission. Section 48916 also requires school districts to adopt rules and regulations for the re-admission procedure, and to make these rules and regulations available to the pupil and the pupil's parent or guardian when the expulsion order is entered.

Education Code section 48915.1, as added by Chapter 942, Statutes of 1987, imposed a new requirement that school boards conduct a hearing if a pupil who was expelled from another school district poses a continuing threat to the school district's pupils or employees. This section also requires the expelling school district to respond to a request for information regarding a recommendation for expulsion by the receiving school district. Chapter 1231, Statutes of 1990, and Chapter 1257, Statutes of 1993, amended Education Code section 48915.1 and Chapter 1257, Statutes of 1993, moved the hearing requirements for pupils expelled for certain offenses from Education Code section 48915.1 to section 48915.2.

C. Pupil Expulsion Appeals

Education Code sections 48919 through 48924 as added by Chapter 498, Statutes of 1983, require county boards of education to: Adopt rules and regulations establishing procedures for expulsion appeals; notify persons of the requirements for filing the appeal, notify the parties of the acceptance of the filed appeal, the date of the hearing, the requirement for the appellant to provide a transcript of the school district expulsion hearing record, and the procedures for the conduct of the hearing; conduct the hearing within 20 school days and render a decision within 3 school days; remand the matter to the school district governing board, or conduct a hearing de novo if the county board of education determines that there is relevant and material evidence that should be considered; and notify the parties of the final and binding order. School districts are required to participate in the county board appeal process.

2. Commission on State Mandates Decisions

A. Pupil Suspensions

The Commission on State Mandates, in the Statement of Decision adopted at the December 19, 1996 hearing, determined that Education Code section 48911, subdivisions (b) and (e), limited to suspensions based upon (1) possession of a firearm (10/11/93 to present), and (2) possession of a knife or explosive (10/11/93 to 12/31/93), impose a reimbursable state mandated new program or higher level of service upon school districts within the meaning of section 6, article XIII B of the California Constitution and section 17514 of the Government Code.

B. Pupil Expulsions

The commission on State mandates, in the Statement of decision adopted at the May 26, 1997, hearing, found that certain provisions of Education Code sections 48915, subdivisions (a), (b), 48915.1, 48915.2, 48916, and 48918, subdivisions (b), (i), and (j), impose a reimbursable state mandated new program or higher level of service upon school districts within the meaning of section 6, article XIII B of the California Constitution and section 17514 of the Government Code.

The Commission further determined that certain of the foregoing sections imposed a new program or higher level of service only with respect to expulsion procedures instituted for certain specified offenses.

C. Expulsion Appeals

The Commission on State Mandates, in the Statement of Decision adopted at the March 27, 1997

hearing, found that certain provisions of Education Code sections 48919, 48921 through 48924, and limited to those expulsions based upon section 48915(b) as amended by Chapters 1255 and 1256, Statutes of 1993, impose a reimbursable state mandated new program or higher level of service upon school districts within the meaning of section 6, article XIII B of the California Constitution and section 17514 of the Government Code.

3. Eligible Claimants

Any school district (K-12) or county board of education that incurs increased costs as a direct result of this mandate is eligible to claim reimbursement of these costs.

4. Appropriations

These claiming instructions are issued following the adoption of the program's parameters and guidelines by the Commission on State Mandates. Funding for payment of initial claims covering fiscal years 1993-94, 1994-95, 1995-96, 1996-97, and 1997-98, may be made available in a future appropriation act subject to the approval of the Legislature and the Governor.

To determine if this program is funded in subsequent fiscal years, refer to the schedule, "Appropriation for State Mandated Cost Programs," in the *Annual Claiming Instructions for State Mandated Costs* issued in September of each year to county superintendents of schools and superintendents of schools.

5. Types of Claims

A. Reimbursement and Estimated Claims

A claimant may file a reimbursement and/or an estimated claim. A reimbursement claim details the costs actually incurred for a prior fiscal year. An estimated claim shows the costs to be incurred for the current fiscal year.

B. Minimum Claim

Government Code § 17564(a) provides that no claim shall be filed pursuant to Government Code § 17561 unless such a claim exceeds \$200 per program per fiscal year. However, any county superintendent of schools, as fiscal agent for the school district, may submit a combined claim in excess of \$200 on behalf of districts within the county even if the individual district's claim does not exceed \$200. A combined claim must show the individual costs for each district. Once a combined claim is filed, all subsequent years relating to the same mandate must be filed in a combined form. The county receives the reimbursement payment and is responsible for disbursing funds to each participating district. A district may withdraw from the combined claim form by providing a written notice to the county superintendent of schools and the State Controller's Office of its intent to file a separate claim at least 180 days prior to the deadline for filing the claim.

6. Filing Deadline

A. Initial Claims

Pursuant to Government Code section 17561, subdivision (d)(3), initial claims must be filed within 120 days from the issuance of claiming instructions. Accordingly:

- (1) Reimbursement claims detailing the actual costs incurred for the 1993-94, 1994-95, 1995-96, 1996-97, and 1997-98 fiscal years must be filed with the State Controller's Office and postmarked by February 24, 1999. If the reimbursement claim is filed after the deadline of

February 24, 1999, the approved claim must be reduced by a late penalty of 10%, not to exceed \$1,000. Claims filed more than one year after the deadline will not be accepted.

- (2) Estimated claims for costs to be incurred during the 1998-99 fiscal year must be filed with the State Controller's Office and postmarked by February 24, 1999. Timely filed estimated claims are paid before late claims. If a payment is received for the estimated claim, a 1998-99 reimbursement claim must be filed by January 15, 2000.

B. Annually Thereafter

Refer to the item, "Reimbursable State Mandated Cost Programs", contained in the cover letter for mandated cost programs issued annually in October, which identifies the fiscal years for which claims may be filed. If an "x" is shown for the program listed under "19__/19__ Reimbursement Claim", and/or "19__/19__ Estimated Claim", claims may be filed as follows:

- (1) An estimated claim filed with the State Controller's Office must be postmarked by January 15 of the fiscal year in which costs are to be incurred. Timely filed estimated claims will be paid before late claims.

After having received payment for an estimated claim, the claimant must file a reimbursement claim by January 15 of the following fiscal year. If the district fails to file a reimbursement claim, monies received for the estimated claim must be returned to the State. If no estimated claim was filed, the agency may file a reimbursement claim detailing the actual costs incurred for the fiscal year, provided there was an appropriation for the program for that fiscal year. For information regarding appropriations for reimbursement claims, refer to the schedule, "Appropriation for State Mandated Cost Programs" in the previous fiscal year's annual claiming instructions.

- (2) A reimbursement claim detailing the actual costs must be filed with the State Controller's Office and postmarked by January 15 following the fiscal year in which costs were incurred. If the claim is filed after the deadline but by January 15 of the succeeding fiscal year, the approved claim must be reduced by a late penalty of 10%, not to exceed \$1,000. Claims filed more than one year after the deadline will not be accepted.

7. Reimbursable Activities

For each eligible school district and county board of education, the direct and indirect costs of labor, supplies, and services incurred for the following mandated components are reimbursable:

A. Adoption and Revision of Rules and Procedures

- (1) County Boards of Education
 - (a) Adopting rules and procedures for expulsion appeal hearings and revising those rules and procedures to conform to amendments of the statutory hearing requirements.
 - (b) Printing and disseminating rules and procedures to each school district in the county.
- (2) School Districts and County Boards of Education
 - (a) Adopting rules and procedures pertaining to pupil expulsions and revising those rules and procedures to conform to amendments of the statutory requirements.
 - (b) Adopting rules and regulations establishing the procedure for the filing and processing of requests for re-admission pursuant to Education Code section 48915.
 - (c) Printing and disseminating rules and procedures to each school site.

B. Suspension Conference and Report

If the suspension is for one of the following offenses and the offense occurred within the following dates:

Date of Offense	Offense
10/11/93 to 12/31/93	Possession of a firearm, knife of no reasonable use to the student, or explosive.
1/1/94 to Present	Possession of a firearm. ¹

Then the following activities are reimbursable:

(1) Attendance at Informal Conference

The attendance of the teacher, supervisor, or other school district employee who referred the pupil to the principal for suspension in the pre-suspension conference between the principal (or principal's designee) or superintendent and the pupil.

(2) Reporting the Cause to the District Office

Reporting the cause of the suspension to the school district's superintendent or governing board in accordance with the regulations of the school district's governing board. Such report may be oral or written.

C. Recommendation of Expulsion

The preparation of a report to the school district governing board concerning the principal's or superintendent's recommendation to expel a pupil for the following offenses:

- (1) Causing serious physical injury to another person except in self defense;
- (2) Possession of any firearm, knife, explosive, or other dangerous device of no reasonable use to the pupil at school or at a school activity off school grounds;
- (3) Unlawful sale of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; or
- (4) Robbery or extortion

D. Expulsion Hearing Procedural Requirements

If the expulsion hearing is for one of the following offenses:

- (1) Causing serious physical injury to another person except in self defense;
- (2) Possession of any firearm, knife, explosive, or other dangerous device of no reasonable use to the pupil at school or at a school activity off school grounds;
- (3) Unlawful sale of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; or
- (4) Robbery or extortion.

Then the following activities are reimbursable:

- I. Including in the notice of hearing to the pupil;
 - (a) A copy of the disciplinary rules of the district that relate to the alleged violation;

¹ Chapter 972/95 relettered § 48915(b) as § 48915(c) and added activities for which suspensions are required.

- (b) A notice of the parent's, guardian's, or pupil's obligation, pursuant to Education Code Section 48915.1, subdivision (b), to notify a new school district, upon enrollment, of the pupil's expulsion; and
 - (c) Notice of the opportunity for the pupil or the pupil's parent or guardian to inspect and obtain copies of all documents to be used at the hearing.
- II. Allowing a pupil or pupil's parent or guardian to inspect and obtain copies of documents to be used at the expulsion hearing, as follows:
- (a) If the requesting party is a pupil less than 18 years of age or the parent or guardian of a pupil who is 18 years of age or older, all documents; or
 - (b) If the requesting party is the parent or guardian of a pupil under the age of 18, only those documents which are not "education records" as defined in 20 U.S.C. Section 1232g(a)(4).

E. Post-Expulsion Procedures

If the expulsion hearing is for one of the following offenses and the offense occurred within the following dates:

Date of Offense	Offense
10/11/93 to 12/31/93	Possession of a firearm, knife of no reasonable use to the student, or explosive.
1/1/94 to Present	Possession of a firearm. ¹

Then the following activities are reimbursable:

- (1) Sending written notice to the pupil or the pupil's parent or guardian of: (a) Any decision by the governing board to expel or suspend the enforcement of an expulsion order during a period of probation; (b) the right to appeal the expulsion to the county board of education, and (c) the obligation of the pupil, parent, or guardian under Education Code section 48915.1 to notify a new school district, upon enrollment, of the pupil's expulsion. Costs of postage for mailing the notice is reimbursable under this activity.
- (2) Maintaining a record of the expulsion, including the cause of the expulsion;
- (3) Recording the expulsion order and the cause of the expulsion in the pupil's interim mandatory record; and
- (4) Forwarding the student's mandatory interim record to any school in which the pupil subsequently enrolls upon the request of such school.

F. Re-admission Procedures

If the governing board expelled a pupil for one of the following offenses and the offense occurred within the following dates:

Date of Offense	Offense
10/11/93 to 12/31/93	Possession of a firearm, knife of no reasonable use to the student, or explosive.
1/1/94 to Present	Possession of a firearm. ¹

Then the following activities are reimbursable:

- (1) Setting a date when the pupil may apply for re-admission to a district school; and
- (2) Providing a description of the procedure for re-admission to the pupil and the pupil's parent or guardian.

G. Application by Expelled Pupil to Attend a New District

If a pupil ("applicant") seeking application to a school district (the "receiving school district") has been expelled by another school district for one of the following offenses as specified below, and the receiving school district does not have a voluntary interdistrict transfer agreement with the expelling district.

Date of Offense	Offense
7/1/93 to 12/31/93	(a) Causing serious physical injury to another person except in self defense;
	(b) Possession of any firearm, knife, explosive, or other dangerous device of no reasonable use to the pupil at school or at a school activity off school grounds;
	(c) Unlawful sale of any controlled substance listed in Chapter 2 (commencing with section 1053) of Division 10 of Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; or
	(d) Robbery or extortion
1/1/94 to Present	For any offense.

Then the following activities associated with the receiving district's hearing are reimbursable, as specified below:

- (1) Including in the notice of hearing to the applicant: (a) A copy of the hearing procedure rules of the receiving district; and (b) notice of the opportunity for the applicant or the applicant's parent or guardian to inspect and obtain copies of all documents to be used at the hearing.
- (2) Allowing an applicant or applicant's parent or guardian to inspect and obtain copies of documents to be used at the admission hearing, as follows:
 - (a) If the requesting party is an applicant less than 18 years of age or the parent or guardian of an applicant who is 18 years of age or older, all documents; or
 - (b) If the requesting party is the parent or guardian of an applicant under the age of 18, only those documents that are not "education records" as defined in 20 U.S.C. Section 1232g(a)(4).
- (3) Determination by the governing board whether a pupil expelled by another school district would pose a danger to the pupils and employees of the receiving district and whether to admit, deny admission, or conditionally admit the pupil during or after the period of expulsion.
- (4) Maintaining a record of each admission denial, including the cause of the denial.

- (5) Notifying the applicant and the applicant's parent or guardian of the governing board's determination of whether the applicant poses a potential danger to the pupils or employees of the receiving district and whether to admit, deny admission, or conditionally admit the applicant during or after the period of expulsion.

H. Responding to Requests for Recommendations

If the governing board expelled a pupil for one of the following offenses and the offense occurred within the following dates:

Date of Offense	Offense
10/11/93 to 12/31/93	Possession of a firearm, knife of no reasonable use to the student, or explosive.
1/1/94 to Present	Possession of a firearm. ¹

and the expelled student applies for admission to another school district (the "receiving district") then, unless the expelling district entered into a voluntary interdistrict transfer agreement with the receiving district, the activities of the expelling district in responding to the receiving district's request for a recommendation regarding the admission of the applicant are reimbursable.

I. Expulsion Appeals Hearings

- (1) County Boards of Education (applicable to all student expulsion appeals)

(a) Providing Notice to the Parties

1. Notifying the pupil and the pupil's parent(s) or guardian(s) of the procedures for the appeal.
2. Notifying the school district and pupil in writing of the final order of the county board of education, either by personal service or certified mail.

(b) Review of Hearing Record

Reviewing the filed appeal, the transcript, and record of the hearing conducted by the school district governing board.

(c) Conducting Hearings

Conducting the initial appeal hearing and rendering a decision. Reimbursement for this component is limited to appeals for which the county board of education decides to grant a hearing de novo.

(d) Preserving Records

Preserving the record of appeal.

- (2) School Districts

If the governing board expelled a pupil for one of the following offenses and the offense occurred within the following dates:

Date of Offense	Offense
10/11/93 to 12/31/93	Possession of a firearm, knife of no reasonable use to the student, or explosive.
1/1/94 to Present	Possession of a firearm. ¹

Then the following activities are reimbursable:

(1) Providing Copies of Documents

- (a) Providing copies of supporting documents and records from the district's expulsion hearing (other than the transcript) to a pupil who is less than 18 years of age.
- (b) Providing copies of supporting documents and records from the district's expulsion hearing (other than the transcript) to a pupil who is 18 years of age or older, or to the parent or guardian of a pupil who is less than 18 years of age, if the documents or records are not "education records" as defined in 20 U.S.C. section 1232g(a)(4).¹

(2) Participation in Hearings

Participation by a school district in the county board of education's hearing on appeal if the county board of education grants a hearing de novo.

(3) Remand Hearing

If the county board of education remanded the expulsion to the school district's governing board following an appeal, sending notice of the hearing, conducting a hearing on demand, and rendering a decision in the remand hearing.

(4) Expunging Records

Expunging the school district's and pupil's records concerning the expulsion, when ordered by the county board of education.

J. Training

Training school district personnel about the mandated suspension, expulsion, and expulsion appeal activities. This reimbursable component includes the labor time of administrators and other school district personnel involved with preparation of training sessions and the labor time of other school district personnel who conduct or attend training sessions. **Labor time for teachers is not reimbursable.** The cost of materials and supplies used or distributed in training sessions is reimbursable under this component.

8. Reimbursement Limitations

Any offsetting savings or reimbursement the claimant received from any source including but not limited to, service fees collected, federal funds, and other state funds as a direct result of this mandate, shall be identified and deducted so only net local costs are claimed.

9. Claiming Forms and Instructions

The diagram "Illustration of Claim Forms" provides a graphical presentation of forms required to be filed with a claim. A claimant may submit a computer generated report in substitution for forms PSEA-1 and PSEA-2 provided the format of the report and data fields contained within the report are identical to the claim forms included in these instructions. The claim forms provided with these instructions should be duplicated and used by the claimant to file estimated or reimbursement claims. The State Controller's Office will revise the manual and claim forms as necessary. In such instances, new replacement forms will be mailed to claimants.

A. Form PSEA-2, Component/Activity Cost Detail

This form is used to segregate the detailed costs by claim component. A separate form PSEA-2 must be completed for each cost component being claimed. Costs reported on this form must be supported as follows:

(1) Salaries and Benefits

Identify the employee(s), and/or show the classification of the employee(s) involved. Describe the mandated functions performed and specify the actual time devoted to each function by each employee, productive hourly rate, and related fringe benefits. In lieu of actual hours, the average number of hours devoted to each reimbursable activity can be claimed if supported by a documented time study. At present no instructions are available for performing a time study. Therefore, it is suggested that claims be based on actual costs.

Reimbursement for personal services include compensation paid for salaries, wages, and employee fringe benefits. Employee fringe benefits include regular compensation paid to an employee during periods of authorized absences (e.g., annual leave, sick leave) and the employer's contribution of social security, pension plans, insurance, and worker's compensation insurance. Fringe benefits are eligible for reimbursement when distributed equitably to all job activities which the employee performs.

Source documents may include, but are not limited to, time logs evidencing actual costs claimed under Reimbursable Activities, time sheets, payroll records, canceled payroll warrants, organization charts, duty statements, pay rate schedules, and other documents evidencing the expenditure. If a documented time study is the basis for claimed time spent, attach the time records with the claim. The State Controller's Office will review the documented time study for precision and reliability.

(2) Materials and Supplies

Only expenditures that can be identified as a direct cost of this mandate may be claimed. List the cost of materials and supplies consumed specifically for the purposes of this mandate. Purchases shall be claimed at the actual price after deducting cash discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged based on a recognized method of costing, consistently applied.

Source documents may include, but are not limited to, general and subsidiary ledgers, invoices, purchase orders, receipts, canceled warrants, inventory records, and other documents evidencing the expenditure.

(3) Contract Services

Provide the name(s) of contractor(s) who performed the service(s), including any fixed contracts for services. Describe the reimbursable activity(ies) performed by each named contractor, and give the number of actual hours spent on the activities, if applicable. Show the actual dates when services were performed and itemize all costs for those services. Attach consultant invoices with the claim.

Source documents may include, but are not limited to, general and subsidiary ledgers, contracts, invoices, canceled warrants, and other documents evidencing the expenditure.

(4) Travel Expenses

Travel expenses for mileage, per diem, lodging and other employee entitlements are reimbursable in accordance with the rules of the local jurisdiction. Provide the name(s) of the traveler(s), purpose of travel, inclusive travel dates, destination points and costs.

Source documents may include, but are not limited to, employee travel expense claims, receipts, and other documents evidencing the travel expenses.

For audit purposes, all supporting documents must be retained for a period of two years after the end of the calendar year in which the reimbursement claim was filed or last amended, whichever is later. When no funds are appropriated for the initial claim at the time the claim was filed,

supporting documents must be retained for two years from the date of initial payment of the claim. Such documents shall be made available to the State Controller's Office on request.

B. Form PSEA-1, Claim Summary

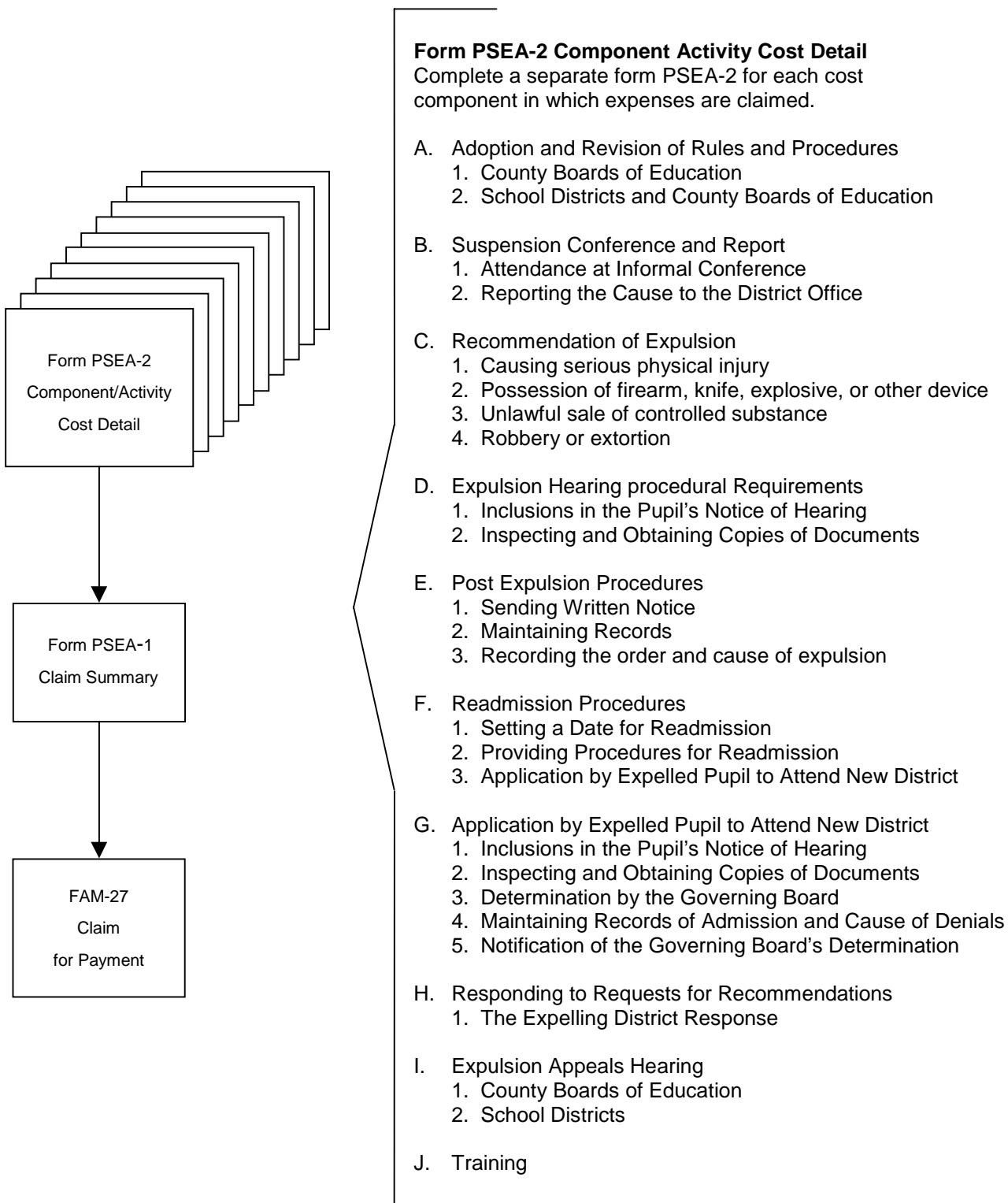
This form is used to summarize direct costs by claim component and compute allowable indirect costs for the mandate.

School districts and local boards of education may compute the amount of indirect costs utilizing the State Department of Education's Annual Program Cost Data Report J-380 or J-580 rate, as applicable. The cost data on this form is carried forward to form FAM-27.

C. Form FAM-27, Claim for Payment

Form FAM-27 contains a certification that must be signed by an authorized officer of the district. All applicable information from form PSEA-1 must be carried forward to this form for the State Controller's Office to process the claim for payment.

Illustration of Claim Form



CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS			For State Controller Use Only	Program
			(19) Program Number 00176	176
			(20) Date Filed ____/____/____	
			(21) LRS Input ____/____/____	
(01) Claimant Identification Number			Reimbursement Claim Data	
(02) Claimant Name			(22) PSEA-1, (03)(a)	
County of Location			(23) PSEA-1, (03)(b)	
Street Address or P.O. Box Suite			(24) PSEA-1, (03)(c)	
City State Zip Code			(25) PSEA-1, (04)(1)(e)	
Type of Claim	(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input type="checkbox"/>	(26) PSEA-1, (04)(2)(e)	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(27) PSEA-1, (04)(3)(e)	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(28) PSEA-1, (04)(4)(e)	
			(29) PSEA-1, (04)(5)(e)	
Fiscal Year of Cost	(06) 20 ____/20 ____	(12) 20 ____/20 ____	(30) PSEA-1, (04)(6)(e)	
Total Claimed Amount	(07)	(13)	(31) PSEA-1, (04)(7)(e)	
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(32) PSEA-1, (04)(8)(e)	
Less: Prior Claim Payment Received		(15)	(33) PSEA-1, (04)(9)(e)	
Net Claimed Amount		(16)	(34) PSEA-1, (04)(10)(e)	
Due from State	(08)	(17)	(35) PSEA-1, (06)	
Due to State		(18)	(36) PSEA-1, (07)	
<p>(37) CERTIFICATION OF CLAIM</p> <p>In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the school district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the the State of California that the foregoing is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <p>Signature of Authorized Officer</p> <p>_____</p> <p>Type or Print Name</p> </div> <div style="width: 35%;"> <p>Date</p> <p>_____</p> <p>Title</p> </div> </div>				
<p>(38) Name of Contact Person for Claim</p> <p>_____</p>				
<p>Telephone Number () - Ext.</p> <p>_____</p>				
<p>E-Mail Address</p> <p>_____</p>				

Program 176	PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS Certification Claim Form Instructions	FORM FAM-27
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- (01) Enter the payee number assigned by the State Controller's Office.
- (02) Enter your Official Name, County of Location, Street or P. O. Box address, City, State, and Zip Code.
- (03) If filing an estimated claim, enter an "X" in the box on line (03) Estimated.
- (04) If filing a combined estimated claim on behalf of districts within the county, enter an "X" in the box on line (04) Combined.
- (05) If filing an amended estimated claim, enter an "X" in the box on line (05) Amended.
- (06) Enter the fiscal year in which costs are to be incurred.
- (07) Enter the amount of the estimated claim. If the estimate exceeds the previous year's actual costs by more than 10%, complete form PSEA-1 and enter the amount from line (11).
- (08) Enter the same amount as shown on line (07).
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) If filing a combined reimbursement claim on behalf of districts within the county, enter an "X" in the box on line (10) Combined.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year for which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim from form PSEA-1, line (11). The total claimed amount must exceed \$1,000.
- (14) Reimbursement claims must be filed by January 15 of the following fiscal year in which costs are incurred or the claims shall be reduced by a late penalty. Enter zero if the claim was timely filed, otherwise, enter the product of multiplying line (13) by the factor 0.10 (10% penalty), not to exceed \$1,000.
- (15) If filing a reimbursement claim or a claim was previously filed for the same fiscal year, enter the amount received for the claim. Otherwise, enter a zero.
- (16) Enter the result of subtracting line (14) and line (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.
- (22) to (36) Reimbursement Claim Data. Bring forward the cost information as specified on the left-hand column of lines (22) through (36) for the reimbursement claim, e.g., PSEA-1, (03)(a), means the information is located on form PSEA-1, block (03), line (a). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. Indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 7.548% should be shown as 8. **Completion of this data block will expedite the payment process.**
- (37) Read the statement "Certification of Claim." If it is true, the claim must be dated, signed by the agency's authorized officer, and must include the person's name and title, typed or printed. **Claims cannot be paid unless accompanied by an original signed certification. (To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**
- (38) Enter the name, telephone number, and e-mail address of the person to contact if additional information is required.

SUBMIT A SIGNED ORIGINAL, AND A COPY OF FORM FAM-27, WITH ALL OTHER FORMS AND SUPPORTING DOCUMENTS TO:

Address, if delivered by U.S. Postal Service:

**OFFICE OF THE STATE CONTROLLER
 ATTN: Local Reimbursements Section
 Division of Accounting and Reporting
 P.O. Box 942850
 Sacramento, CA 94250**

Address, if delivered by other delivery service:

**OFFICE OF THE STATE CONTROLLER
 ATTN: Local Reimbursements Section
 Division of Accounting and Reporting
 3301 C Street, Suite 500
 Sacramento, CA 95816**

Program 176	MANDATED COSTS PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS CLAIM SUMMARY	FORM PSEA-1			
(01) Claimant	(02) Type of Claim Fiscal Year Reimbursement <input style="width: 40px;" type="checkbox"/> Estimated <input style="width: 40px;" type="checkbox"/> 20__/20__				
Claim Statistics					
(03) (a) Number of students suspended in the fiscal year of claim					
(b) Number of students expelled in the fiscal year of claim					
(c) Number of expulsion appeals in the fiscal year of claim					
Direct Costs	Object Accounts				
(04) Reimbursable Components	(a)	(b)	(c)	(d)	(e)
	Salaries and Benefits	Materials and Supplies	Travel	Contract Services	Total
1. Adoption and Revision of Rules and Procedures					
2. Suspension Conference and Report					
3. Recommendation of Expulsion					
4. Expulsion Hearing Procedural Requirements					
5. Post Expulsion Procedures					
6. Readmission Procedures					
7. Application by Expelled Pupil to Attend New District					
8. Responding to Requests for Recommendations					
9. Expulsion Appeals Hearing					
10. Training					
(05) Total Direct Costs					
Indirect Costs					
(06) Indirect Cost Rate	[From J-380 or J-580]				%
(07) Total Indirect Costs	[Line (06) x line (05)(a)]				
(08) Total Direct and Indirect Costs	[Line (05)(e) + line (07)]				
Cost Reduction					
(09) Less: Offsetting Savings, if applicable					
(10) Less: Other Reimbursements, if applicable					
(11) Total Claimed Amount	[Line (08) – {line (09) + line (10)}]				

Program 176	PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS CLAIM SUMMARY Instructions	FORM PSEA-1
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- (01) Enter the name of the claimant.
- (02) Type of Claim. Check a box, Reimbursement or Estimated, to identify the type of claim being filed. Enter the fiscal year of costs.

Form PSEA-1 must be filed for a reimbursement claim. Do not complete form PSEA-1 if you are filing an estimated claim and the estimate does not exceed the previous fiscal year's actual costs by more than 10%. Simply enter the amount of the estimated claim on form FAM-27, line (07). However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, form PSEA-1 must be completed and a statement attached explaining the increased costs. Without this information the estimated claim will automatically be reduced to 110% of the previous fiscal year's actual costs.

(03)	<table border="1"> <tr> <th>Date of Offense</th><th>Offense</th></tr> <tr> <td>10/11/93 to 12/31/93</td><td>Possession of a firearm, knife of no reasonable use to the student, or explosive.</td></tr> <tr> <td>1/1/94 to Present</td><td>Possession of a firearm.</td></tr> </table>	Date of Offense	Offense	10/11/93 to 12/31/93	Possession of a firearm, knife of no reasonable use to the student, or explosive.	1/1/94 to Present	Possession of a firearm.
Date of Offense	Offense						
10/11/93 to 12/31/93	Possession of a firearm, knife of no reasonable use to the student, or explosive.						
1/1/94 to Present	Possession of a firearm.						

- (a) Enter the number of suspensions for the number of offenses that occurred during the above time period.
- (b) Enter the number of expulsions for the number of offenses that occurred during the above time period.
- (c) Enter the number of expulsion appeals for the number of offenses that occurred during the above time period.
- (04) Reimbursable Components. For each reimbursable component, enter the total from form PSEA-2, line (05), columns (d), (e), (f), and (g) to form PSEA-1, block (04), columns (a), (b), (c), and (d) in the appropriate row. Total each row.
- (05) Total Direct Costs. Total columns (a) through (e).
- (06) Indirect Cost Rate. Enter the indirect cost rate from the Department of Education form J-380 or J-580, as applicable for the fiscal year of costs.
- (07) Total Indirect Costs. Enter the result of multiplying the Indirect Cost Rate, line (06), by the Total Salaries and Benefits, line (05)(a).
- (08) Total Direct and Indirect Costs. Enter the sum of Total Direct Costs, line (05)(e), and Total Indirect Costs, line (07).
- (09) Less: Offsetting Savings, if applicable. Enter the total savings experienced by the claimant as a direct result of this mandate. Submit a detailed schedule of savings with the claim.
- (10) Less: Other Reimbursements, if applicable. Enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funds, and other state funds, which reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts.
- (11) Total Claimed Amount. Subtract the sum of Offsetting Savings, line (09), and Other Reimbursements, line (10), from Total Direct and Indirect Costs, line (08). Enter the remainder on this line and carry the amount forward to form FAM-27, line (13) for the Reimbursement Claim.

Program <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">176</div>	MANDATED COSTS PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS COMPONENT/ACTIVITY COST DETAIL	FORM PSEA-2
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(01) Claimant	(02) Fiscal Year Costs Were Incurred
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(03) Reimbursable Component: Check only **one** box per form to identify the component being claimed.

<input type="checkbox"/> Adoption and Revision of Rules and Procedures	<input type="checkbox"/> Readmission Procedures
<input type="checkbox"/> Suspension Conference and Report	<input type="checkbox"/> Application by Expelled Pupil to Attend New District
<input type="checkbox"/> Recommendation of Expulsion	<input type="checkbox"/> Responding to Requests for Recommendations
<input type="checkbox"/> Expulsion Hearing Procedural Requirements	<input type="checkbox"/> Expulsion Appeals Hearing
<input type="checkbox"/> Post Expulsion Procedures	<input type="checkbox"/> Training

(04) Description of Expenses: Complete columns (a) through (g).			Object Accounts			
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Travel	(g) Contract Services
(05) Total <input type="text"/> Subtotal <input type="text"/> Page: ____ of ____						

Program 176	PUPIL SUSPENSIONS, EXPULSIONS, AND EXPULSION APPEALS COMPONENT/ACTIVITY COST DETAIL Instructions	FORM PSEA-2
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year for which costs were incurred.
- (03) Reimbursable Components. Check the box which indicates the cost component being claimed. Check only one box per form. A separate form PSEA-2 shall be prepared for each applicable component.
- (04) Description of Expenses. The following table identifies the type of information required to support reimbursable costs. To detail costs for the component activity box "checked" in block (03), enter the employee names, position titles, a brief description of the activities performed, actual time spent by each employee, productive hourly rates, fringe benefits, supplies used, contracted services and travel expenses. **The descriptions required in column (4)(a) must be of sufficient detail to explain the cost of activities or items being claimed.** For audit purposes, all supporting documents must be retained by the claimant for a period of not less than three years after the date the claim was filed or last amended, whichever is later. If no funds were appropriated and no payment was made at the time the claim was filed, the time for the Controller to initiate an audit shall be three years from the date of initial payment of the claim. Such documents shall be made available to the State Controller's Office on request.

Object/ Sub object Accounts	Columns							Submit these supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	
Salaries	Employee Name	Hourly Rate	Hours Worked	Salaries = Hourly Rate x Hours Worked				
Benefits	Title Activities	Benefit Rate		Benefits = Benefit Rate x Salaries				
Materials and Supplies	Description of Supplies Used	Unit Cost	Quantity Used		Cost = Unit Cost x Quantity Used			
Travel	Purpose of Trip Name and Title	Per Diem Rate	Days			Cost = Rate x Days or Miles		
	Departure and Return Date	Mileage Rate Travel Cost	Miles Travel Mode			Total Travel Cost		
Contract Services	Name of Contractor Specific Tasks Performed	Hourly Rate	Hours Worked Inclusive Dates of Service				Cost = Hourly Rate x Hours Worked or Total Contract	Copy of Contract and Invoices

- (05) Total line (04), columns (d), (e), (f), and (g) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the component/activity costs, number each page. Enter totals from line (05), columns (d), (e), (f), and (g) to form PSEA-1, block (04), columns (a), (b), (c), and (d) in the appropriate row.